

REMARKS

Entry of the foregoing, reexamination and reconsideration of the subject application, as amended, pursuant to and consistent with 37 C.F.R. § 112, are respectfully requested in light of the remarks which follow.

I. Amendments to the Claims

By the foregoing amendments to the claims, claims 1, 3-8, 10, and 12-15 have been amended, and claim 2 has been canceled.

In particular, claim 1 has been amended to recite the subject matter of claim 2. In addition, claim 15 has been amended to depend from claim 1 rather than from claim 2.

Further amendments to the claims have also been made to clarify the claim language, for consistency, and to bring the claims into better conformance with U.S. patent practice. These amendments are merely editorial in nature and are not intended to change the scope of the claims or any elements recited therein. No new matter has been added, and entry of the foregoing amendments are respectfully requested.

The amendments to the claims have been made without prejudice or disclaimer to any subject matter recited or canceled herein. Applicants reserve the right to file one or more continuation and/or divisional applications directed to any canceled subject matter. No new matter has been added, and entry of the foregoing amendments of the above-identified application are respectfully requested.

II. Response to Claim Rejections Under 35 U.S.C. § 103

At pages 2-6 of the Office Action, claims 1-4 and 15 have been rejected under 35 U.S.C. § 103(a) for allegedly being unpatentable over JP 10-203961 in view of Medline

Abstract 93060291, Shozo et al. (1986), HCAPLUS Abstract 1984:188290 and HCAPLUS Abstract 1997:400035. This rejection is respectfully traversed.

Applicants respectfully submit that the preparation disclosed in JP 10-203961 is an electrolyte transfusion specifically used for amending the water and electrolyte balance in diabetic ketoacidosis. That is, the preparation of JP 10-203961 is used for a patient with diabetes. In contrast, the present invention relates to controlling water and electrolyte balance and acid-base equilibrium in a patient undergoing an operation or in a postoperative patient. In other words, the present invention provides a process for controlling water and electrolyte balance and acid-base equilibrium in a patient undergoing an operation or in a postoperative patient, by means of continuous infusion of the preparation containing bicarbonate and other electrolytes in a balanced manner, at a ratio of 5 to 20 mL/kg/hour. Furthermore, the patient's water and electrolyte balance and acid/base equilibrium can be controlled, by observing a data of blood gas analysis as an index parameter.

Accordingly, by practicing the method recited in the present claims, the acidosis correction effect is exhibited immediately after the start of infusion and disappears quickly by stopping the infusion. Therefore, the preparation of the present invention can be administered safely without inducing metabolic alkadosis during infusion and alkalosis after the stopping of the administration, without causing problems of hypernatremia. These superior effects are not disclosed in JP 10-203961.

Additionally, Medline abstract 93060291, HCAPLUS abstract 1984:188290 and HCAPLUS abstract 1997:400035 do not teach or suggest the specific rate of the infusion speed of the preparation by observing a data of blood gas analysis as an index parameter of the present invention.

Further, Shozo et al. (1986) also does not teach or suggest the specific rate of the infusion speed of the preparation by observing a data of blood gas analysis as an index parameter of the present invention.

Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

III. Conclusion

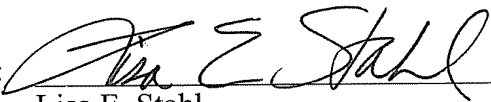
In view of the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order. Such action is earnestly solicited.

In the event that there are any questions relating to this Amendment and Reply or the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney so that prosecution of this application may be expedited.

Respectfully submitted,

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